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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

IN RE: BONNSTETTER, Bill J.)
) APPEAL NO. _____
SERIAL NO: 09/479,646)
)
FOR: POSITION ANALYSIS SYSTEM AND)
METHOD)
)
FILED: January 7, 2000) BRIEF ON APPEAL
)
GROUP ART UNIT: 3623)

To the Commissioner of Patents and Trademarks
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I. INTRODUCTION

This is an appeal of the final rejection dated January 31, 2006, finally rejecting pending claims 6, 9, 10, 12-14, 22, and 23. The appealed claims 6, 9, 10, 12-14, 22, and 23 are set forth in an attached appendix.

II. REAL PARTY IN INTEREST

The real party in interest in the present application is the Assignee, Performance DNA International, Ltd., 16020 N. 77th Street, Scottsdale, AZ 85260-6919, by an assignment form the co-inventors recorded March 13, 2000 at Real/Frame 010700/0257.

III. RELATED APPEALS AND INTERFERENCES

None.

IV. STATUS OF CLAIMS

Claims 1-20 were originally filed in the parent application U.S. Serial No. 09/479,646. Restriction requirements have left claims 15-20 withdrawn from consideration. Claims 1-5, 7-8, 11, and 21 have been cancelled. Claims 22 and 23 have been added. Thus, currently pending and rejected claims are claims 6, 9, 10, 12-14, 22, and 23.

V. STATUS OF AMENDMENTS

There are currently no pending amendments after final in the present application.

VI. SUMMARY OF CLAIMED SUBJECT MATTER

A. The Invention

The present invention is a method for assisting employers in the hiring of individuals for a specific job. The method does so by evaluating potential job performance of the individuals for the specific skill set needed for the job. In the pending claims for the present invention, one starts by developing a list of believed important hard skills (education, training, etc.) and soft skills (values, attitudes, etc.) needed to perform well in the job of interest. This list of important skills or competencies is validated by questioning high performers in the job and others familiar with the job, such as superiors and/or subordinates to determine a ranking of importance for specific competencies to do well in the job in question. Then, possible interview questions are suggested for individuals seeking the job to determine if they possess the necessary competencies (hard and soft skills) to do well in the job. The individuals are then asked the possible interview questions and the individuals responses are analyzed to see if the individual actually possesses the required competencies (hard and soft skills) to perform highly in the job. As explained below, the prior art actually teaches away from the concept.

B. Independent Claim 22

Independent claim 22 relates to a method of evaluating potential job performance of applicants or existing employees for a specific job. The method includes the defining a set of competencies relevant to performance in the specific job (page 9, lines 24-27; page 13, lines 8-11; page 16, lines 23-28; page 18, line 21-page 21, line 22). The next

step in claim 22 is ranking the set of competencies in order of importance for the specific job to provide a set of defined job characteristics for the specific job (page 9, lines 24-27; page 13, lines 8-11; page 18, line 21-page 21, line 22). A third step in the method of claim 22 is surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to validate the set of competencies defined for the specific job (page 9, line 28-page 10, line 7; page 13, lines 11-14; page 21, lines 23-page 24, line 15; Figure 11; Figure 120; Figures 3A-3U). Another step in the method of claim 22 is preparing a report regarding ranking of the set of defined job characteristics (page 10, lines 8-19; page 13, lines 15-16; page 24, line 16-page 32, line 11; Figure 130; Figures 4A-10P). Another step in the method of claim 22 is providing a set of proposed interview questions related to the set of defined job characteristics to assist hiring authorities to plan structured selection interviews (page 10, lines 23-24; page 13, lines 21-25; Figures 6O-6BB; Figures 7J-7N; Figure 9P; Figures 10L-10P). The method of claim 22 additionally requires surveying an applicant or existing employee regarding said job to ascertain how said applicant or existing employee demonstrates said set of defined job characteristics (page 10, lines 20-27; page 13, lines 17-20; page 33, lines 1-25; Figures 12A-12K). Finally, the method of claim 22 requires reporting a comparison of potential performance of the applicant or existing employee based upon demonstration of said defined job characteristics (page 13, lines 25-30; page 33, line 26-page 34, line 14; page 34, line 24-page 35, line 20; (Figures 13-Figure 23; 132). As stated in the specification:

The present invention profiles the job in more of a complete sense; i.e., not only behavior and values, but also skills needed and optionally, the intelligence and any hard skills. Still further, the point of reference of looking at these different areas is from the need of the job, not from how people rate themselves about the job. It is relatively easy to match a person's skills with the job, but what about motivation? Does that person have the passion to do the best in the job? Applicants sometimes do not know their own competencies or are reluctant to disclose their weaknesses. The present invention bypasses these problems with traditional interviews profiling the job for high performance, and then subtly probing the interviewee both head-on (for skills) and obliquely (behavior traits, values/attitudes) to see if the person has the passion to highly perform in the job, even if demonstrating good skills and aptitude (page 14, lines 7-24).

C. Independent claim 23

Independent claim 23 is essentially the same method as described above in claim 22 with the exceptions of step D and step G. Step D requires preparing a computerized report regarding ranking of the set of defined job characteristics (page 16, line 30-page 18, line 19; Figure 1). Similarly, step G requires reporting a computerized comparison of potential performance of the applicant or existing employee based upon demonstration of said defined job characteristics (page 16, line 30-page 18, line 19; Figure 1).

VII. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

A. Whether claims 6, 9, 10, 13, 22, and 23 are anticipated by U.S. Patent No. 5,879,165 to Brunkow.

B. Whether any claims are obvious in view of U.S. Patent No. 5,879,165 to Brunkow.

VIII. ARGUMENT

A. Rejection under 35 U.S.C. § 102(e) in light of U.S. Patent No. 5,879,165 to Brunkow.

Claims 6, 9, 10, 13, 22, and 23 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,879,165 to Brunkow. This rejection is improper and should be overturned.

1. The Law of Anticipation

A rejection for anticipation requires that the same invention, including each claim element and limitation, is present in a single prior art reference. *Verve, LLC v. Crane Cams, Inc.*, 311 F.3d 1116, 1120 (Fed. Cir. 2002). The reference "must describe the claimed invention with sufficient precision and detail to establish that the subject matter existed in the prior art." *Id.* A rejection for anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984).

2. Brunkow does not disclose each element of independent claims 22 and 23, and thus, cannot anticipate.

The Examiner has failed to make a prima facie case of anticipation over Brunkow. The Examiner has mixed the language of claims 22 and 23 in this rejection. For example, the Examiner has cited on page 3 of the Office Action dated January 31, 2006 step D of independent claim 22 and step G of independent claim 23. Thus, the Examiner has apparently mixed the language of claims 22 and 23 and therefore, issued an improper

rejection. Since, the Examiner has not pointed to each claim element and limitation in each claim as being present in Brunkow, the Examiner has failed to make out a *prima facie* case of anticipation. Therefore, the anticipation rejection on claims 22 and 23 should be reversed.

The present invention, as described above, is a method of evaluating potential job performance of applicants or existing employees for a specific job. Brunkow as described in column 1, lines 10-16, is a method to facilitate the creation of tests having one or more assessment items for analyzing, training, a program of study, job, job performance, or performance criteria of one or more individuals by tracking learner's successes. Thus, Brunkow is used for analyzing, training, jobs, job performance, etc, and not for evaluating potential job performance of applicants or existing employees for a specific job. Therefore, Brunkow cannot anticipate independent claims 22 and 23 of the present application which actually teach away from the concept of Brunkow, which analyzes people, not the skill set for jobs. Table 1 below shows U.S. Patent No. 5,879,165 to Brunkow does NOT show each and every element of the claimed invention as is required to sustain a 35 U.S.C. § 102 rejection.

TABLE 1	Claim Element 22	Claim Element 23	Brunkow
Preamble	A method of evaluating potential job performance of applicants or existing employees for a specific job, comprising:	A method of evaluating potential job performance of applicants or existing employees for a specific job, comprising:	No, Brunkow discloses a computer program to facilitate the creation of tests to assess or analyze transferable skills that are taught, practiced and acquired in a course of study, training program or job. In addition, Brunkow is testing the individual to see if the individual has a mastery of a certain taught skill and not whether the individual will be a high performer in the specific job (e.g., column 1, lines 5-16, column 2, lines 1-19, column 3, lines 30-50).

(a)	defining a set of competencies relevant to performance in the specific job;	defining a set of competencies relevant to performance in the specific job;	No, Brunkow has no soft skills competencies, such as values. Brunkow only has hard skills such as an individual's mastery of a course (e.g., column 1, line 37-column 2, line 33).
(b)	ranking the set of competencies in order of importance for the specific job to provide a set of defined job characteristics for the specific job;	ranking the set of competencies in order of importance for the specific job to provide a set of defined job characteristics for the specific job;	No, Brunkow's competencies are transferable skills that are taught, practiced and acquired in a course of study, training program or job by arbitrarily weighing the importance of the duty that the test item is qualifying (e.g., column 2, lines 1-19, 56-61).
(c)	surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to validate the set of competencies defined for the specific job;	surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to validate the set of competencies defined for the specific job;	No, Brunkow makes no mention of surveying high-performing individuals to validate the set of competencies defined in element A. Brunkow only arbitrarily allows the test creator to predefine competency codes such as data, people, things, reasoning, math, and language (e.g., column 5, lines 25-35, 53-67, column 6, lines 1-60, column 8, lines 14-36).
(d)	preparing a report regarding ranking of the set of defined job characteristics;	preparing a computerized report regarding ranking of the set of defined job characteristics;	No, Brunkow never prepares a report to a hiring entity ranking the defined job characteristics. Brunkow again, allows the test creator to arbitrarily assign the tested for criteria without validation and thus, does not need to prepare a report ranking the set of defined job characteristics (e.g., column 5, lines 25-35, 53-67, column 6, lines 1-60, column 8, lines 14-36).

(e)	providing a set of proposed interview questions related to the set of defined job characteristics to assist hiring authorities to plan structured selection interviews;	providing a set of proposed interview questions related to the set of defined job characteristics to assist hiring authorities to plan structured selecting interviews;	No, Brunkow only contemplates questions to assess or analyze whether the tested individual has mastered the transferable skills which are taught to the individual. Nothing in Brunkow discloses or suggests interview questions to determine if the individual tested has soft skills required to perform highly in the job (e.g., column 7, line 40-column 8, line 25, column 8, lines 37-55).
(f)	surveying an applicant or existing employee regarding said job to ascertain how said applicant or existing employee demonstrates said set of defined job characteristics; and	surveying an applicant or existing employee regarding said job to ascertain how said applicant or existing employee demonstrates said set of defined job characteristics; and	No, Brunkow only tests to see if the individual learned or retained the taught knowledge and not whether the tested person has what it takes to be a high performer in the job. Additionally, Brunkow is testing the same person throughout where the present application is testing high-performing individuals already in the specific job and around the specific job in step C above and is surveying unrelated applicants and how they would perform in the job in step F (e.g., column 7, line 40-column 8, line 25, column 8, lines 37-55).
(g)	reporting a comparison of potential performance of the applicant or existing employee based upon demonstration of said defined job characteristics.	reporting a computerized comparison of potential performance of the applicant or existing employee based upon demonstration of said defined job characteristics.	No, Brunkow only tracks independently the results and performance of right or wrong in responses to passive or active questions to determine if the individual has fully understood or maintained knowledge from a given learning setting and does not report whether the individual tested has the required elements to perform highly in the given job (e.g., column 7, line 40-column 8, line 25, column 8, lines 37-55).

The Examiner stated that column 2, lines 4-19 of Brunkow discloses step A of independent claim 22 by defining a set of competencies relevant to performance in the

specific job. However, the referenced section of Brunkow only discloses discovering the strength and/or weaknesses of the learner and then correlates them to task competencies and/or duty competencies by using a taxonomy system, competency codes, task importance, skill levels, and references to source information by testing for transferable skills that are taught, practiced, and acquired in a course of study, training program, or job while assessing the reference criterion at the assessment level. As described in the present application, on the other hand, the competencies required by independent claims 22 and 23 are observable behaviors which are pertinent to most jobs, meaning behaviorally related observable characteristics in the workplace relative to a particular job. Examples of the types of competencies of the present invention are shown on page 18, lines 21-page 21, lines 22. Specifically, page 19, lines 14-18 of the present application state that "the set of competencies does not directly relate to resumes, education, technical experience, or prior job experience. They are 'soft skills,' or in other words, 'demonstrable, observable behaviors.'" Thus, since Brunkow is only dealing with "transferable skills that are taught, practiced, and acquired in a course of study, training program or job" (column 2, lines 17-18), Brunkow does not disclose or suggest the "soft skills" as required by independent claims 22 and 23 of the present application. Therefore, Brunkow cannot legally anticipate these claims.

The Examiner goes on to state that column 2, lines 56-61 of Brunkow disclose step B of pending claims 22 and 23 of the present application by ranking the set of competencies in order of importance for the specific job to provide a set of defined job characteristics for the specific job. Here, Brunkow allows the test creator to arbitrarily assign a rating for the skill

required to successfully complete the test item. However, Brunkow is testing the individual and, as described in page 13, lines 8-11 of the present application, the present invention uses a set of observable behaviors and a set of competencies to analyze the job or position in question, not the individual. Thus, since Brunkow is testing the individual for the skill required to successfully complete the test item and the pending claims of the present application are ranking the set of competencies to define a set of job characteristics for a specific job, they must be different. Therefore, Brunkow cannot anticipate pending independent claims 22 and 23 of the present application.

Next, the Examiner states that column 5, lines 25-35 of Brunkow discloses step C of pending claims 22 and 23 of the present application by surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to *validate the set of competencies defined for the specific job* (emphasis added). The cited section in Brunkow states that the competency codes are arbitrarily *predefined* by the test creator and usually represent such things as duties within a job, and understanding of or ability to use, or a skill in handling, etc. Applicant submits that nothing in this section, or any other section of Brunkow or other references, discloses or suggests surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to *validate the set of competencies defined for the specific job* (emphasis added). In other words, the present invention allows the job to speak for itself of what competencies are required to perform highly in the specific job. Therefore, the competencies defined and ranked in step A and B are validated by the survey of step C in the present

application. Applicant submits that nothing in Brunkow, or any other previously cited reference, discloses or suggests having the specific job define itself by using high-performing individuals in the job to ascertain if they possess the competencies specified by the job to validate the competencies defined for the specific job. In other words, Brunkow is testing the individual with pre-determined criteria to see if they will perform well in a given educational or job situation and is not testing high performers in the job to define what is necessary to perform highly in the job. To state this another way, Brunkow is using the tested individual to determine the tested individual's competencies. The present application is using high performers to determine competencies for a given job, and then looking for these competencies in different people or applicants for the specific job. In other words, if high performers have soft skill X and other individuals around the high performer indicate that X is important for the specific job, then X is a desired trait of applicants for the job, and X is given a high priority to look for in applicants for the job by the hiring entity. Brunkow makes NO mention of anything like this. As result, Brunkow does not disclose, teach, or suggest element C of pending independent claims 22 and 23. Therefore, Brunkow cannot anticipate pending independent claim 22 and 23.

Step D of pending independent claims 22 and 23 are different in the fact that pending claim 22 requires preparing a report regarding the ranking of the set of defined job characteristics while step D of pending claim 23 requires preparing a *computerized* report regarding ranking of the set of defined job characteristics. The Examiner states that column 6, lines 23-30 of Brunkow prepares such a report required by step D of claims 22 and 23.

Reviewing lines 23-30 of column 6 of Brunkow does not appear to disclose preparing any type of report regarding ranking of the set of defined job characteristics. Instead, Brunkow discloses a scale of 1, 2, 4, and 6 as being associated with a high skill level for individuals or individual scores. However, step D of pending claims 22 and 23 requires a report regarding the ranking of the set of defined job characteristics. Applicant submits that this is not disclosed or suggested by Brunkow. Again, as described in column 10, lines 8-19 of the present application, the competencies which relate to a given job are analyzed in light of attitude/values and/or behavioral traits. From these competencies, essential competencies for the particular job can be identified and correlated with skills, attitudes/values, and/or behavioral traits. On the other hand, Brunkow is only analyzing the individual, not the specific job. Brunkow is actually inputting data, not outputting a report, as required by step D of the pending claims. As a result, Brunkow cannot anticipate pending claims 22 and 23 of the present application.

The Examiner stated that column 6, lines 36-60 of Brunkow disclose step E of pending independent claims 22 and 23 of the present application by providing a set of proposed interview questions related to the set of defining job characteristics to assist authorities to plan structured selection interviews. Step E of independent claims 22 and 23 of the present application require providing a set of proposed interview questions which relate to the set of defined job characteristics to assist hiring authorities to plan structured selection interviews. As described on page 13, lines 21-25 of the present application, the interview questions contemplated by the present application are designed to pull out information from

the interviewee to allow an unbiased assessment of whether the interviewee not only meets skills requirements, but also most likely has the passion for the specific job. Examples of these types of questions are shown in Figures 6O-6BB, Figures 7J-7N, Figure 9P, and Figures 10L-10P. The section cited by the Examiner does mention questions; however, these questions do not relate to interview questions, suggested to assist in hiring authorities related to define job characteristics. Since Brunkow does not suggest providing a set of proposed interview questions related to the set of defined job characteristics, as described above, to assist hiring authorities to plan structured selection interviews, Brunkow cannot legally anticipate pending independent claims 22 and 23 of the present application.

The Examiner next states that column 7, lines 41-42 of Brunkow disclose surveying an applicant or employee regarding said job to ascertain how said applicant or existing employee demonstrates said set of defined job characteristics as required by step F. While this section of Brunkow does disclose having an individual take a test, the test in Brunkow is one to determine whether the individual is likely to be a high academic performer or such, but is not a test to see if a job applicant or existing employee demonstrate the set of defined job characteristics which were defined and ranked and validated by steps A-D above and described throughout the text of the present application. As shown on page 13, lines 17-20 of the present application, the surveying of the applicant as required in step F of pending claims 22 and 23 allow the user to find out which applicants for the specific job have not only the skills for the job, but also the behaviors, values/attitudes, and risk level for the company. No disclosure or suggestion of this is found in Brunkow. This can additionally be seen in the

present application page 33, lines 1-25 and Figures 12A-12K. Since Brunkow does not disclose or suggest surveying an applicant or existing employee regarding said job to ascertain how said applicant or existing employee *demonstrates said set of defined job characteristics*, Brunkow cannot anticipate pending independent claims 22 and 23 of the present application (emphasis added). Furthermore, the surveys of steps C and F of the pending claims are on *different* individuals, high performers in the job, and applicants for the job, Brunkow only surveys the one individual who was taught the transferable skills.

Finally, the Examiner states at column 7, lines 64-column 8, and lines 13 of Brunkow disclose reporting a computerized comparison of potential performance of the applicant based upon demonstration of said defined job characteristics. Since Brunkow is not using or disclosing competencies as required by the pending claims in this application, Brunkow could not report a comparison of potential performance of an applicant or existing employee based upon demonstration of said defined job characteristics. Therefore, as above, Brunkow does not anticipate the pending claims of the present application.

Claims 6, 9, 10, 12, 13, and 14 depend from pending independent claim 22. These claims are allowable as depending from an allowable independent claim 22. As demonstrated above, claim 22 is not disclosed or suggested by Brunkow and is thus allowable. Therefore, the reversal of the rejection of claims 6, 9, 10, 12, 13, and 14 is respectfully requested.

B. Rejection under 35 U.S.C. § 103(a) over U.S. Patent No. 5,879,165 to Brunkow

Claims 12 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Brunkow. The Examiner states on page 4 of the Office Action dated January 31, 2006 that Brunkow fails to explicitly disclose the existing employee include a set of comprising employees in said job, employees subordinate to said job, employees superior to said job, customers interacting with said job, and peers to said job as required by claim 12. Applicant agrees with Examiner on this point. Additionally, the Examiner states that Brunkow does not explicitly disclose providing feedback to said existing employee in said job based on the surveying of existing employees as required by claim 14. Applicant additionally agrees with examiner on this point.

In any case, since pending claim 12 depends from independent claim 22 and pending claim 14 depends from dependent claim 12, these claims are allowable as depending from allowable independent claims. Therefore, this rejection under 35 U.S.C. § 103(a) has been made moot. Thus, reversal of the rejection of pending claims 12 and 14 is respectfully requested.

None of the pending claims are obvious in light of Brunkow. To be obvious under 35 U.S.C. § 103, there *must* be a motivation to combine elements to show every element in the claim at issue. See *In re Kahn*, 441 F.3d 977 (Fed. Cir. 2006). Appellant submits that no combination of references discloses all the elements as required by the pending claims, nor is there motivation to combine any references. Since the objective of Brunkow is to "create a

method using a computer for creating and comprehensively analyzing in an integrated manner a test and course of study or job performance, with the ability to plan a course of study that instructs and assesses multiple transferable skills within the context of course competencies at the individual test item assessment level" (Column 3, lines 44-50), and the present invention's objective is to improve the job hiring art, there could not be any motivation to combine such different arts.

IX. CONCLUSION TO ARGUMENTS

As shown above, the pending claims in the present application are not disclosed or suggested by U.S. Patent No. 5,879,165 to Brunkow. For example, pending independent claims 22 and 23 of the present application require defining a set of competencies as described throughout the text of the pending application and using high-performing individuals in the specific job to validate the set of competencies and not using arbitrarily defined competencies to test individuals. Therefore, the pending claims in the present application are unique in their method and all rejections should be reversed.

Enclosed herein please find the Appeal Brief and required fee of \$250.00. If this amount is not correct, please consider this a request to debit or credit Deposit Account No. 26-0084 accordingly.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bart A. Fisher". The signature is fluid and cursive, with the first name "Bart" being more prominent than the last name "Fisher".

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X. APPENDIX - CLAIMS

Claims 1-5 (Cancelled).

Claim 6: The method of claim 22 wherein the set of high performing individuals comprises one or more persons.

Claims 7-8 (Cancelled).

Claim 9: The method of claim 22 further comprising surveying a potential applicant for said job to derive how said characteristics relate to said potential applicant.

Claim 10: The method of claim 9 further comprising comparing the surveying of the potential applicant with the surveying of the set of high performing individuals.

Claim 11 (Cancelled).

Claim 12: The method of claim 22 wherein the existing employees include the set comprising employees in said job, employees subordinate to said job, employees superior to said job, customers interfacing with said job, and peers to said job.

Claim 13: The method of claim 12 further comprising surveying a set of existing employees regarding said job to derive how said existing employees demonstrate said characteristics relative to said job.

Claim 14: The method of claim 12 further comprising providing feedback to a said existing employee in said job based on the surveying of existing employees.

Claim 15-20 (Withdrawn).

Claim 21 (Cancelled).

Claim 22: A method of evaluating potential job performance of applicants or existing employees for a specific job, comprising:

- (a) defining a set of competencies relevant to performance in the specific job;
- (b) ranking the set of competencies in order of importance for the specific job to provide a set of defined job characteristics for the specific job;
- (c) surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to validate the set of competencies defined for the specific job;
- (d) preparing a report regarding ranking of the set of defined job characteristics;

- (e) providing a set of proposed interview questions related to the set of defined job characteristics to assist hiring authorities to plan structured selection interviews;
- (f) surveying an applicant or existing employee regarding said job to ascertain how said applicant or existing employee demonstrates said set of defined job characteristics;
and
- (g) reporting a comparison of potential performance of the applicant or existing employee based upon demonstration of said defined job characteristics.

Claim 23: A method of evaluating potential job performance of applicants or existing employees for a specific job, comprising:

- (a) defining a set of competencies relevant to performance in the specific job;
- (b) ranking the set of competencies in order of importance for the specific job to provide a set of defined job characteristics for the specific job;
- (c) surveying a set of high-performing individuals in the specific job to ascertain if they possess the competencies specified by the job to validate the set of competencies defined for the specific job;
- (d) preparing a computerized report regarding ranking of the set of defined job characteristics;
- (e) providing a set of proposed interview questions related to the set of defined job characteristics to assist hiring authorities to plan structured selection interviews;

- (f) surveying an applicant or existing employee regarding said job to ascertain how said applicant or existing employee demonstrates said set of defined job characteristics;
and
- (g) reporting a computerized comparison of potential performance of the applicant or existing employee based upon demonstration of said defined job characteristics.

XI. EVIDENCE APPENDIX

None.

XII. RELATED PROCEEDING APPENDIX

None.